

1 COUNCIL ON POSTSECONDARY EDUCATION

2 (Amendment)

3 13 KAR 2:020. Guidelines for admission to the state-supported postsecondary education
4 institutions in Kentucky.

5 RELATES TO: KRS 156.160, 164.001, 164.011, 164.020(3) and (5), 164.030

6 STATUTORY AUTHORITY: KRS 164.020(8)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.020(8) requires the
8 council to set the minimum qualifications for admission to the state-supported
9 postsecondary education institutions. It is the intent of the council that all students have
10 available to them an opportunity for postsecondary education appropriate to their
11 interests and abilities. This administrative regulation establishes the minimum
12 qualifications related to admission at state-supported postsecondary education
13 institutions. The college readiness standards established in this administrative regulation
14 shall not release institutions from the requirements contained in 13 KAR 2:060, degree
15 program approval; equal opportunity goals.

16 Section 1. Definitions. (1) "Adult student" means a student who is twenty-one (21)
17 years of age or older.

18 (2) "Council" is defined by KRS 164.001(7).

19 (3) "Developmental course" means a college or university class or section that
20 prepares a student for college-level study and does not award credit toward a degree.

(4) "Institution" or "institutions" means a state-supported postsecondary education institution as defined in KRS 164.001(11).

(5) "KCTCS" means the Kentucky Community and Technical College System as defined in KRS 164.001(11).

(6) "Systemwide ~~[System-wide]~~ standard" means an ACT Assessment sub-score of eighteen (18) in English, nineteen (19) in mathematics, or twenty (20) ~~[twenty-one (21)]~~ in reading.

Section 2. Minimum Qualifications for Institutional Admission as First-time Students. (1)(a) Except as provided by paragraph (b) of this subsection, an applicant seeking to enter a community and technical college shall have fulfilled the minimum requirements for admission to a degree program established by the Kentucky Community and Technical College System consistent with this administrative regulation if the applicant has:

1. Graduated from a public high school or a certified nonpublic high school; or
2. Earned a high school general equivalency diploma ~~[certificate]~~ (GED).

(b) The Kentucky Community and Technical College System may choose to exempt students who are eligible to pursue a GED from the requirements of paragraph (a) of this subsection if the KCTCS publishes the exemption policy in the student catalog.

(c) An applicant to a community-college type program at a university shall: ~~[take the ACT Assessment.]~~

1. Satisfy ~~[Have satisfied]~~ the minimum requirements for admission to a two (2) year degree program established by the admitting institution consistent with this administrative regulation; and

1 2. Take the ACT Assessment.

2 (2)(a) Except as provided in paragraph (b) of this subsection, an applicant shall have
3 fulfilled the minimum requirements for admission to a baccalaureate program at a
4 university if the applicant has:

5 1. Graduated from a public high school or a certified nonpublic high school;

6 2. Completed the precollege curriculum established in Section 3 of this administrative
7 regulation; and

8 3. Taken the ACT Assessment.

9 (b) An applicant who has earned a high school general equivalency diploma
10 ~~[certificate]~~ (GED) or who is a graduate of a noncertified nonpublic high school,
11 including a home school, may be admitted to a baccalaureate program at a university by
12 taking the ACT Assessment and by scoring at levels established by a university.

13 (3) Notwithstanding the provisions of subsections (1) and (2) of this section, a
14 university may substitute the SAT for the ACT Assessment. The ACT RESIDUAL,
15 ASSET Testing Program, COMPASS Testing Program, or ACCUPLACER Testing
16 Program may be substituted for the ACT Assessment requirement for an adult student.

17 (4) An institution shall establish a written policy for admitting a student if an
18 applicant has attended a noncertified or nonpublic high school and completed a course of
19 study. Noncertified nonpublic schools shall include a home school.

20 (5) A nonresident seeking admission to a baccalaureate degree program at a
21 university shall complete:

22 (a) The ACT recommended college core courses for the precollege curriculum which
23 are ~~is~~ listed in the Benefits of a High School Core Curriculum, ACT 2006; or

(b) A college preparatory curriculum comparable to Kentucky's precollege curriculum established in Section 3 of this administrative regulation.

(6)(a) A university may, under extenuating circumstances, admit a student who has not met the testing requirements of subsection (2)(a)3 of this section if the university has a written policy defining extenuating circumstances.

(b) If a university admits a student under paragraph (a) of this subsection, the student shall satisfy the provisions of subsection (2)(a)3 of this section during the first semester of enrollment.

(7) A university may establish, in writing, additional admission criteria to supplement these minimum requirements.

Section 3. Precollege Curriculum. (1) An applicant to a baccalaureate degree program at an institution shall complete twenty-two (22) or more approved high school units including the following courses in the precollege curriculum. The precollege curriculum established in this section shall include the following categories and courses of study:

(a) Four (4) units of high school study in English/language arts, specifically including English I, English II, English III, and English IV or AP English ~~and~~.

(b) Except as provided in subparagraphs 1, 2, and 3 of this paragraph, three (3) units of high school study in mathematics, including algebra I, algebra II, and geometry.

1. An integrated, applied, interdisciplinary, or technical/occupational course may be substituted for a traditional algebra I, geometry ~~[Algebra I, Geometry]~~, or algebra II course if the course meets the appropriate content standards described in the Program of Studies, which is incorporated by reference in 704 KAR 3:303.

2. A mathematics course whose content is more rigorous than algebra I shall be accepted as a substitute for algebra I.

3. An algebra I course ~~{may be}~~ taken prior to high school ~~{and}~~ shall be counted as a required mathematics course if the academic content of the course is at least as rigorous as the appropriate high school algebraic thinking standards outlined in the Program of Studies, which is incorporated by reference in 704 KAR 3:303.

(c) Three (3) units of high school study in science, to include physical science, life science, and earth and space science. At least one (1) unit shall be a laboratory course. ~~{;}~~

(d) Three (3) units of high school study in social studies, from the following content areas: United States history, economics, government, world geography, and world civilization;

(e) One-half (1/2) unit in health education. ~~{;}~~

(f) One-half (1/2) unit in physical education. ~~{;}~~

(g) One (1) unit in history and appreciation of visual and performing arts. ~~{; and}~~

(h) Two (2) units in the same foreign language unless:

1. The applicant's local school has diagnosed the student as having a learning disability as set forth in KRS 157.200 and 707 KAR 1:280 or 707 KAR 1:310; and

2. Either:

a. The school has ~~{but}~~ determined that the learning disability precludes the student from successfully completing a foreign language course; or

b. The applicant demonstrates linguistic competence and awareness of a foreign language at least equivalent to two (2) years of high school language.

(2) In addition to the requirements of subsection (1) of this section, a student shall take five (5) electives. Three (3) of the five (5) electives shall be courses with academic content that is at least as rigorous as that required in the minimum high school graduation requirements and shall be in the following areas of study:

(a) Social studies.

(b) Science.

(c) Mathematics.

(d) English/language arts.

(e) Arts and humanities.

(f) Physical education and health. A student shall be limited to one-half (1/2) unit as an elective in physical education and to one-half (1/2) unit in health.

(g) Foreign language.

(h) Agriculture, industrial technology education, business education, marketing education, family and consumer sciences, health sciences, technology education and career pathways.

(3)(a) An integrated, applied, interdisciplinary, or higher level course shall be substituted for a course listed in subsections (1) or (2) of this section, if the substituted course offers the same or greater academic rigor and the course covers or exceeds the minimum required content.

(b) Integrated mathematics courses shall be taken as a sequence. A student shall choose either the algebra/geometry sequence or the integrated mathematics sequence.

(c) An approved substitute course may include an honors course, advanced placement course, dual credit course, or a course taken at an institution.

1 (4) An institution may establish additional requirements to supplement this minimum
2 academic preparation.

3 (5)(a) An institution shall accept a waiver of a required precollege curriculum course
4 if:

5 1. A student is ~~physically~~ unable to complete a course because of a physical
6 handicap;

7 2. A student's handicapping condition meets the requirements of 704 KAR 3:305,
8 Section 3(2); and

9 3. The school district superintendent or designee verifies that a student's handicapping
10 condition will prevent the student from completing the course in question.

11 (b) Following a determination that a student is unable to complete a course based
12 upon paragraph (a) of this subsection, a local school may substitute another course in
13 accordance with 704 KAR 3:305, Section 3(2).

14 (6) An institution shall determine whether an applicant has met these minimum
15 academic preparation requirements.

16 (7) The precollege curriculum requirement shall apply to:

17 (a) A first-time student pursuing a baccalaureate degree with or without a declared
18 major;

19 (b) A student converting from nondegree status to baccalaureate degree status;

20 (c) A student changing from certificate or associate ~~degree~~ level to baccalaureate ~~degree~~
21 level; or

22 (d) A student who, transferring from another institution, has been admitted to
23 baccalaureate ~~degree~~ status by the receiving institution.

(8) ~~[(9)]~~ The following shall be exempted from the requirements of the precollege curriculum:

(a) An adult student;

(b) A student entering baccalaureate ~~[-]~~degree status with twenty-four (24) or more semester credit hours applicable to a baccalaureate degree with a GPA (grade point average) of at least 2.00 on a 4.00 scale;

(c) Active duty military personnel, their spouses, and their dependents;

(d) A student enrolled in a community or technical college or a community college type program at a university;

(e) A nonresident student because he or she is subject to the provisions of Section 2(5) of this administrative regulation; or

(f) An international student.

Section 4. Conditional Admissions Qualifications. (1) A university shall have the option of admitting conditionally a first-time student applicant to a baccalaureate degree program who has not met the requirements of Section 3 of this administrative regulation. A first-time student admitted conditionally shall remove or otherwise satisfy academic deficiencies in a manner and time period established by the enrolling institution.

(2) An institution enrolling students in a baccalaureate degree program under the conditional admission provisions in subsection (1) of this section shall admit conditionally each academic term not more than five (5) percent of a base figure. The base figure shall be the average number of students reported as enrolled with baccalaureate ~~[-]~~degree status over the preceding four (4) years.

(3) Although not subject to the precollege curriculum for admission purposes, the precollege curriculum status of students enrolled in a community college ~~[-]~~type program in a university shall be assessed and reported to the Council on Postsecondary Education.

(4) An applicant of superior ability, as demonstrated by exceptional academic achievement, a high ACT Assessment score, and social maturity, may be granted early admission. An applicant granted early admission by an institution shall be exempt from the provisions of Sections 2 and 3 of this administrative regulation.

(5) At the discretion of the institution, a person who does not meet college entrance requirements, including high school students, may enroll in a college course ~~{courses}~~ as a nondegree student.

Section 5. Transfer Students. (1) The council's General Education Transfer Policy and Implementation Guidelines, incorporated by reference, shall direct an institution's policy on the acceptance of transfer credits.

(2) An institution shall assure that a transferring student receives academic counseling concerning the transfer of credit among institutions.

(3) An institution, consistent with the provisions of subsection (1) of this section, shall accept a student's college credit earned when a course is taken both for high school credit and college credit. Credit earned through a dual enrollment arrangement shall be treated the same as credit earned in any other college course.

Section 6. Assessment and Placement of Students. (1) The Kentucky Statewide Public Postsecondary Placement Policy in English and Mathematics shall apply to:

(a) A first-time student enrolled in an associate or baccalaureate degree program or a certificate or diploma program at an institution;

(b) A student who transfers from a degree program at one (1) institution into a degree program at another institution and who has not taken and successfully passed college-level courses in mathematics and English;

(c) A student who transfers from a certificate or diploma program into a degree program and who has not taken and successfully passed college-level courses in mathematics and English;

(d) A student converting from nondegree status to degree status who has not taken and successfully passed college-level courses in mathematics and English.

(2) A nondegree-seeking student shall be exempt from systemwide ~~{system-wide}~~ mandatory assessment and placement policies.

(3) Except as provided in subsection (11) of this section, an institution shall use the ACT Assessment to evaluate student competencies in mathematics, English, and reading. An institution may accept scores on the SAT in lieu of the ACT Assessment for placement in college-level courses.

(4) If a student is ~~{it}~~ determined to have not met the systemwide ~~{system-wide}~~ standards for readiness, an institution shall ~~{for readiness,}~~ use a placement exam to help place a student in the proper course.

(5) An institution shall place a student who scores below the systemwide ~~{system-wide}~~ ~~wide}~~ standard in mathematics, English, or reading in an:

(a) Appropriate developmental course in the relevant discipline; or

(b) Entry-level college course, if the course offers supplementary academic support, such as extra class sessions, additional labs, tutoring, and increased monitoring of students, beyond that usually associated with an entry-level course.

(6) Effective with the fall semester of 2010 ~~[2009]~~, an institution shall satisfy the provisions of subsection (5) of this section by placing a student in the appropriate developmental course or entry-level college course within the first two academic terms ~~[in the first term]~~ that a student is enrolled.

(7)(a) A student shall not be required to enroll in a developmental course in English if the student has a sub_score on the ACT Assessment of eighteen (18) or higher in English. The student shall be permitted to enroll in a credit-bearing writing course.

(b) A student shall not be required to enroll in a developmental course in mathematics if the student has a sub_score on the ACT Assessment of nineteen (19) or higher in mathematics.

1. A student who scores between nineteen (19) and twenty-one (21) shall be permitted to enroll in a credit-bearing mathematics course.

2. A student who scores twenty-two (22) through twenty-six (26) on the ACT Assessment in mathematics shall be permitted to enroll in a credit-bearing algebra course.

3. A student who scores twenty-seven (27) or higher on the ACT Assessment in mathematics shall be permitted to enroll in a credit-bearing calculus course.

(c) A student who has been admitted to an institution and who demonstrates a level of competence by achieving the standards established in the Kentucky Statewide Public Postsecondary Placement Policy in English and mathematics, which is incorporated by reference, and achieves the scores contained in paragraph (a) or (b) of this subsection shall be guaranteed placement in credit-bearing coursework.

(8) An adult student who has been admitted without the ACT Assessment test or the SAT may be placed into an appropriate course using:

- 1 (a) The ACT Residual Test;
- 2 (b) The ASSET Testing Program;
- 3 (c) The COMPASS Testing Program;
- 4 (d) The ACCUPLACER Testing Program; or
- 5 (e) An institutional placement test.

6 (9) An institution shall be responsible for determining the remediation required
7 including the number of developmental ~~[remedial]~~ courses required, if necessary.

8 (10) Effective with the fall semester of 2010 ~~[2009]~~, an institution shall enroll a
9 student who scores below the statewide standards in an appropriate developmental or
10 entry-level course until readiness ~~[rediness]~~ for credit-bearing courses has been
11 demonstrated. An institution shall ensure that a student who completes a developmental
12 or supplemental course shall enroll in a credit-bearing course in that subject or discipline,
13 or in the case of reading, appropriate course work requiring college-level reading skills.

14 (11)(a) KCTCS shall select campus placement tests for the community and technical
15 colleges that assess mathematics, English, and reading skills.

16 (b) KCTCS may use the ACT Assessment scores or SAT scores to place a student
17 into an appropriate developmental course.

18 (12) ~~[The]~~ KCTCS shall place a degree-seeking student who scores below the
19 systemwide ~~[system-wide]~~ standard in mathematics, English, or reading in an:

- 20 (a) Appropriate developmental course in the relevant discipline; or
- 21 (b) Entry-level college course if the course offers supplementary academic support,
22 such as extra class sessions, additional labs, tutoring, and increased monitoring of
23 students, beyond that which is usually associated with an entry-level course.

1 (13) KCTCS may exempt students enrolled in selected certificate and diploma
2 programs from an assessment and placement in mathematics, English, and reading. The
3 list of certificate and diploma programs that exempt students from the required
4 assessment and placement in mathematics, English, and reading shall be published by
5 ~~the~~ KCTCS in the student catalog.

6 (14) An institution shall report to the council data that monitors the performance of
7 first-time students in developmental and entry-level courses. The core elements of the
8 first-time students performance monitoring system shall include, as appropriate:

9 (a) ACT or SAT scores;

10 (b) Institutional placement exam results;

11 (c) Information that identifies whether a course is developmental, entry-level, or
12 entry-level with supplementary academic support provided; and

13 (d) Grades in developmental and entry-level courses.

14 Section 7. Incorporation by Reference. (1) The following material is incorporated by
15 reference:

16 (a) "Core Content for Mathematics, High School,"^[,] Version 4.1, 2006,^[,] Kentucky
17 Department of Education;

18 (b) "General Education Transfer Policy and Implementation Guidelines,"^[,] 2004,
19 Council on Postsecondary Education;

20 (c) "Benefits of a High School Core Curriculum,"^[,] 2006, ACT; and

21 (d) "Kentucky Statewide Public Postsecondary Placement Policy in English and
22 Mathematics,"^[,] 2004,^[,]

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2 copyright law, at the Council on Postsecondary Education, 1024 Capital Center Drive,
3 Suite 320, Frankfort, Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m.

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Date

Richard A. Crofts, Interim President
Council on Postsecondary Education

APPROVED AS TO FORM:

Date

Dennis L. Taulbee, General Counsel
Council on Postsecondary Education

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on February 24, 2009, at 10:00 a.m. at the offices of the Council on Postsecondary Education 1024 Capital Center Dr., Conference Room A, Frankfort, KY. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until March 2, 2009. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Dr. Michael Seelig
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REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation 13 KAR 2:020. Guidelines for admission to the state-supported postsecondary education institutions in Kentucky.

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(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation sets out the minimum requirements for admission to state-supported institutions and standards for the assessment and placement of students in developmental programs.

(b) The necessity of this administrative regulation: KRS 164.020(8) authorizes the Council on Postsecondary Education to set minimum admission requirements for the state-supported postsecondary education system. The Council has determined that the date for implementation of the standards for when developmental education is required needs to be delayed by one year. We also determined that the statewide standard for reading should be adjusted from twenty-one (21) to twenty (20) because of recent research that shows a high level of success for students with an ACT score of 20. The Council further wishes to require that developmental education work occur in the first academic year of a student's enrollment rather than the first semester. The additional semester will allow institutions to better schedule required course work.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The administrative regulation conforms explicitly to the authorizing statutes.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The administrative regulation provides guidance to high

school students and parents, K-12 guidance counselors, and other local school officials on what courses and other requirements are necessary for someone to enter a Kentucky state-supported postsecondary education institution. The administrative regulation sets standards for college readiness and requires assessment of students, particularly in English, reading, and mathematics.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment changes the date for implementation of new placement standards in which developmental education is required, and changes the readiness standard in reading from twenty-one (21) to twenty (20).

(b) The necessity of the amendment to this administrative regulation: The Council on Postsecondary Education has determined that a one-year delay in the effective date for the new developmental education standards is in the best interest of the Commonwealth. Institutions that are required to implement the new standards need additional time to prepare and develop courses. Recent research shows that students with a readiness score of twenty (20) perform well in reading intensive courses. By changing the readiness standard to twenty (20), costs for remediation will be reduced without adversely affecting student performance.

(c) How the amendment conforms to the content of the authorizing statutes: The amendment conforms exactly to the authorizing statutes.

(d) How the amendment will assist in the effective administration of the statutes: The purpose of the statutory provision for the Council on Postsecondary Education to set minimum readiness standards supports the Council's strategic agenda calling for a significant increase in college graduates. A one-year delay will assist in implementation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The primary individuals and organizations affected by this regulation are public postsecondary education institutions, local school district officials, the Kentucky Department of Education, and prospective students and their parents.

(4) Provide an assessment of how the above group or groups will be impacted by either the implementation of this administrative regulation, if new, or by the change if it is an amendment: Additional time will allow postsecondary education institutions time to prepare for the new standards.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: No additional cost is contemplated as a result of the delay.

(b) On a continuing basis: No additional cost is contemplated as a result of the delay.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Not applicable.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: Not applicable.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: No.

(9) TIERING: Is tiering applied? Tiering is not appropriate under these circumstances.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 13 KAR 2:020. _____
Seelig _____

Contact Person: Dr. Michael

1. Does this administrative regulation relate to any program, service, or requirements of a state or local government (including cities, counties, fire departments, or school districts)?

Yes ☒ No ☐

If yes, complete questions 2-4.

2. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? State-supported universities, the Kentucky Community and Technical College System (KCTCS), and local school districts.

3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. None.

4. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. The changes proposed will have no effect on local school districts, and should decrease expenditures of public universities and the KCTCS.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? None.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? None.

(c) How much will it cost to administer this program for the first year? No additional costs.

(d) How much will it cost to administer this program for subsequent years? No additional costs.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None.

Expenditures (+/-): Lower expenses. Change in the minimum score required for placement of students in developmental education courses should lessen the need for courses, and thus reduce cost.

Other Explanation: